

DEPARTMENT OF ENVIRONMENTAL QUALITY

ENVIRONMENTAL ASSISTANCE DIVISION

GENERAL RULES

Filed with Secretary of State,

These rules take effect 15 days after filing with the Secretary of State

(By authority conferred on the Department of Environmental Quality by Part 31 of Public Act 451 of 1994 and Executive Reorganization Order 1995-6, being sections 324.101 to 324.90101 of the Michigan Compiled Laws.)

R 323.1251. Purpose.

Rule 251. Part 31 of Public Act 451 of 1994, being sections 324.101 to 324.90101 of the Michigan Compiled Laws, requires that every industrial or commercial entity which discharges liquid wastes into any surface or ground waters or underground or on the ground other than through a public sanitary sewer shall have waste treatment or control facilities under the specific supervision and control of persons who have been certified by the Water Resources Commission as being properly qualified to operate the facilities. These rules set forth the requirements for certification of such operators.

R 323.1252. As used in this part:

Rule 252. (1) “Board” means the board of examiners established by the commission.

(2) “Certificate” means a document issued by the commission attesting that a person is properly qualified to operate or supervise the operation of certain designated waste treatment or control facilities.

(3) “Owner” means an industrial or commercial entity which discharges liquid wastes into any surface or ground waters or underground or on the ground other than through a public sanitary sewer.

(4) “Public sanitary sewer” means an enclosed pipe or conduit intended to carry wastewater from homes, businesses and industries and is owned, operated and maintained by a city, village, township, county, authority or other municipal entity.

(5) “Waste treatment or control facilities” means any disposal system, including disposal wells, or any treatment works, equipment, machinery or installation constructed, used or placed in operation for the purpose of reducing or eliminating water pollution caused by industrial waste or any device or equipment for retaining, metering, regulating, or monitoring a wastewater discharge, except that this section shall not apply to water, gas or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil or gas production and disposed of in a well, if the well is used either to facilitate production or for disposal purposed and is under permit by the state supervisor of wells.

R 323.1253. Classification of waste treatment or control facilities.

Rule 253. (1) Each waste treatment or control facility shall be classified by the commission as to type. The commission shall notify the owner of the waste treatment or control facility of its classification by issuing a certificate of classification. An owner who objects to the assigned classification may appeal to the commission in accordance with the commission’s rules of procedure. Upon appeal, the commission shall schedule a hearing and request the owner to present evidence to support his claim. After the hearing, the commission shall determine the proper waste treatment or control facility classification.

(2) Classifications shall be of 3 types, described as physical, chemical and biological. Each of these classifications shall be further sub-divided into at least 3 sub-classifications with the more complex facilities assigned the higher numbers.

R 323.1254. Board of Examiners.

Rule 254. The commission shall appoint a five-member board of examiners, of which 1 member shall be a member of the staff of the commission, 1 shall be a member of the staff of the Michigan Department of Public Health, 1 shall be an owner of a commercial or industrial enterprise which operates a

waste treatment facility or an employee of such an owner, 1 shall be a holder of a certificate to operate or supervise the operations of a waste treatment facility, and 1 shall be chosen at large. Of the members first appointed, 1 shall be appointed for a term of 1 year, 2 for terms of 2 years and 2 for terms of 3 years. Thereafter, each member shall be appointed for a term of 3 years. At its first meeting in each calendar year, the board shall select from its membership a chairman and such other officers as may be needed to conduct its business. Members of the board shall be reimbursed for their actual and necessary expenses in transacting board business.

R 323.1255. Applications and examinations.

Rule 255. (1) A person desiring to be certified in 1 or more of the classifications shall file an application with the commission at least 30 days before the established date of the examination on an application form provided by the commission. The information included therein shall constitute a part of the examination.

(2) The board shall, under the direction of the commission, examine applicants for certification in order to determine their ability and qualifications, at such times and places as it designates and in accordance with the provisions of these rules. Examinations shall be held at least annually. Sixty days notice of the examination date shall be given. The board, as a result of the examination and the requirements of the act, shall recommend to the commission the issuance or non-issuance of certificates.

(3) The commission may maintain reciprocal certification with other states.

R323.1256. Qualifications for certification.

Rule 256. (1) The board may recommend for certification, following an oral examination and such other examinations, including an evaluation of the applicant's experience, as the board may require, persons with the following qualifications:

- (a) Minimum requirements-all types of classification No. 1:
 - (i) The ability to read and write.
 - (ii) Comprehension of the principles and problems of management of the treatment process and facilities.
 - (iii) The ability to perform arithmetic calculations necessary to operate the waste treatment or control facility and prepare the required report to the commission.
- (b) Minimum requirements-all types of classification No. 2:
 - (i) The equivalent of a high school education with the equivalent of high school chemistry.
 - (ii) Comprehension of the principles and problems of management of the treatment process and facilities.

(iii) The ability to perform arithmetic calculations necessary to carry out the operation of the waste treatment or control facility and prepare the required report to the commission.

(c) Minimum requirements-all types of classification No. 3:

(i) The equivalent of 2 years of college education in engineering, chemistry, biological sciences or allied field. Graduation from high school and with at least 4 courses in post-high school level chemistry or biological sciences or both may be considered to be equivalent.

(ii) Comprehension of the principles and problems of management of the treatment process and facilities.

(2) The board may recommend for certification in an appropriate classification, without written examination, or with oral examinations at the board's option, persons having the following qualifications:

(a) Applicants who are registered professional engineers in Michigan and have at least 2 years experience in the water pollution control or waste treatment field.

(b) Applicants who have a bachelor of science or higher degree in engineering, chemistry, biological sciences, or allied field and have at least 3 years experience in the water pollution control or waste treatment field.

(c) Applicants who hold a classification No. 1 or 2 certificate, have at least 5 years experience in the water pollution control or waste treatment field, have proven their competence in their present classification, and have successfully completed advanced courses in 1 or more of the following: chemistry, biological sciences and waste treatment operation.

(3) Oral examinations, when held by the board, shall determine the overall knowledge of the applicant in regard to the operation of the type of facility the applicant will be responsible for, and the possible effects of discharge of untreated or inadequately treated waste upon the waters receiving the plant effluent.

(4) The commission may deny a certificate to a person who has given false information in his application or who has been guilty of fraudulent practices in his examination. This denial, or any other denial of a certificate, may be appealed from in accordance with the commission's rules of procedure.

R 323.1257. Renewal and revocation of certificates.

Rule 257. (1) A certificate is valid for 5 years from the next July 1st after the date of issuance. On or after January 1 of the year in which a certificate expires, the certified person may apply for renewal thereof. The commission may waive re-examination if the certified operator's operation record justified such exceptions. Failure to apply for renewal shall result in termination of such certification. The commission shall notify the certified operator and the owner as to the action it has taken.

(2) If the certificate of an operator is not renewed within 30 days after its renewal date, the commission shall give notice of the nonrenewal to the owner and operator and 30 days thereafter certification shall be terminated unless application for renewal has been received in the interim.

(3) The commission may revoke the certificate of a person, who after a hearing is adjudged incompetent or unable to properly perform the duties of operator in his classification, or who has practiced fraud or falsification or who has been negligent in the discharge of his duties. Notice of revocation shall be given to the owner and to the person whose certification is being revoked.

R 323.1258. Persons in responsible charge and changes.

Rule 258. (1) An owner shall designate a certified operator to be in responsible charge of the day-to-day operation of each waste treatment facility and shall inform the commission of the designation. The owner may replace the designated operator with another properly certified operator at any time and shall notify the commission within 10 days after the replacement.

(2) A certified operator who changes his address or place of employment shall notify the commission thereof within 30 days after the change.

R 323.1259. Reports.

Rule 259. The person in responsible charge of a waste treatment or control facility shall file with the commission, each month or at such longer interval as the commission may designate, on forms provided by the commission, operating reports showing the effectiveness of the treatment facility operation and the quantity and quality of liquid wastes discharged into any surface or ground waters or underground or on the ground other than through a public sanitary sewer. When the person in responsible charge is not available to file the report, the owner may appoint a substitute suitable to the commission to file the report.

SPECIFIC CLASSIFICATIONS

A. Physical

1. Sub-Classification No. 1
 - a. Special classification
 - b. Plain clarification
 - 1) Plain sedimentation
 - 2) Skimming
 - d. Impoundment - regulated discharge
 - e. Impoundment - without surface water discharge

- f. Land surface disposal
 - 1) Spray irrigation
 - 2) Ridge and furrow
 - 3) Ground surface irrigation
 - g. Sub-surface disposal
 - 1) Tile field systems
 - h. Non-contact cooling water
 - i. Storm Water management - Industrial Site
 - j. Storm Water management - Construction Site
 - 2. Sub-Classification No. 2
 - a. Vacuum filtration of sludge
 - b. Filtration of wastewater
 - c. Air flotation
 - d. Gas Stripping
 - e. Centrifuging
 - g. Deep well injection
 - h. Filter press of solids and sludge
 - i. Reverse osmosis

B. Chemical

- 1. Sub-Classification No. 1
 - a. Sludge conditioning
 - b. Neutralization
- 2. Sub-Classification No. 2
 - a. Chemical Clarification
 - 1) Chemical coagulation
 - 2) Precipitation
 - 3) Emulsion breaking
 - b. Ion exchange
- 3. Sub-Classification No. 3
 - a. Oxidation-reduction
(electro plating and related wastes)
 - b. Carbon adsorption

C. Biological

- 1. Sub-Classification No. 1
 - b. Aerated lagoons
 - c. Stabilization ponds
- 2. Sub-Classification No. 2
 - a. Disinfection
 - b. Trickling filters
 - d. Rotating attached growth discs
 - e. Package plant
- 3. Sub-Classification No. 3
 - a. Activated sludge